

**INTERVIEW AGENDA: NOT TO BE ENTERED**

**Application No. 10/574,078**

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AMENDMENTS TO THE CLAIMS

1. (Original) A game system comprising a stationary game execution apparatus, a mobile game execution apparatus and a monitor, each of the game execution apparatuses executing a game in accordance with a game program,

the stationary game execution apparatus including:

an obtaining unit operable to obtain the game program and general image data, the game program indicating a game procedure, and the general image data being for display in accordance with progression of the game;

a write unit operable to write the obtained game program to a portable recording medium;

a generation unit operable to generate stationary image data and portable image data from the obtained general data, the stationary image data being suitable for display by the stationary game execution apparatus, and the portable image data being suitable for display by the portable game apparatus;

a transmission unit operable to transmit the generated portable image data over a network;

an input unit operable to receive an input operation from a user; and

an execution unit operable to execute, based on the received input operation, the game, in accordance with the procedure indicated by the obtained game program, and generate, in accordance with progression of the game, a stationary display image from the generated stationary image data, and output the generated stationary display image, the monitor displaying the output stationary display image, and

the portable game apparatus including:

a read unit operable to read the game program from the portable recording medium;

a reception unit operable to receive the portable image data over the network;

an input unit operable to receive an input operation from the user;

an execution unit operable to execute, based on the received input operation, the game, in accordance with the procedure indicated by the read game program, and generate, in accordance with progression of the game, a portable display image from the received portable image data; and

a display unit operable to display the generated portable display image.

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**2. (Original)** The game system of Claim 1, further comprising a distribution server, the distribution server, including:

- a storage unit operable to store the game program;
- a read unit operable to read the game program from the storage unit; and
- a transmission unit operable to transmit the read game program securely over the network, and

- the mobile game execution apparatus further including:
  - a reception unit operable to receive the game program over the network; and
  - a write unit operable to write the received game program to the portable recording medium,

wherein, instead of the stationary game execution apparatus writing the game program to the portable recording medium, the mobile game execution apparatus writes the received game program to the portable recording medium.

**3-10. (Cancelled)**

**11. (Currently Amended)** A portable game execution apparatus that executes a game in accordance with a game program,

~~wherein a stationary game execution apparatus obtains the game program and general image data, the game program indicating a game procedure, and the general image data being for display in accordance with progression of the game, writes the obtained game program to a portable recording medium, generates stationary image data and portable image data from the obtained general data, the stationary image data being suitable for display by the stationary game execution apparatus, and the portable image data being suitable for display by the portable game apparatus, and transmits the generated portable image data over a network,~~

the portable game execution apparatus comprising:

a read unit operable to read the game program from ~~the portable~~ a portable recording medium on which the game program indicating a game procedure is recorded;

a reception unit operable to receive, over a network, portable image data generated by a stationary game execution apparatus, the portable image data being suitable for display by the portable game execution apparatus; ~~the portable image data over the network;~~

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an input unit operable to receive an input operation from ~~the a~~ user;

an execution unit operable to execute, based on the received input operation, the game, in accordance with the procedure indicated by the read game program, and generate, in accordance with progression of the game, a portable display image from the received portable image data; and

a display unit operable to display the generated portable display image.

**12. (Original)** The portable game execution apparatus of Claim 11, wherein the reception unit securely receives the portable image data over the network.

**13. (Currently Amended)** The portable game execution apparatus of Claim 12, wherein ~~the stationary game execution apparatus generates, from the general image data, a portable image suitable for display by the portable game execution apparatus, and encrypts the generated portable image, thereby generating portable image data, and~~  
the reception unit receives portable image data generated by encrypting a portable image,  
and

the execution unit decrypts the received portable image data, thereby generating a portable image, and generates a portable display image from the generated portable image.

**14. (Original)** The portable game execution apparatus of Claim 13, wherein the portable recording medium further stores a distribution key used in the encryption of the portable image, and

the execution unit further reads the distribution key from the portable recording medium, and decrypts the received portable image data with use of the read distribution key.

**15. (Currently Amended)** The portable game execution apparatus of Claim 13, ~~wherein the stationary game execution apparatus generates a distribution key, generates, from the general image data, a portable image suitable for display by the portable game execution apparatus, encrypts the generated portable image with use of the generated distribution key, thereby generating portable image data, and transmits the portable image data over the network,~~

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~~the distribution server apparatus generates a distribution key that is identical to the distribution key generated by the stationary game execution apparatus, and transmits the generated distribution key over the network,~~

the reception unit further receives portable image data generated by encrypting a portable image with use of a distribution key,

the reception unit further receives the distribution key from ~~the a~~ distribution server apparatus over the network, and writes the received distribution key to the portable recording medium, and

the execution unit further reads the distribution key from the portable recording medium, and decrypts the received portable image data with use of the read distribution key.

**16. (Original)** The portable game execution apparatus of Claim 11, wherein the portable recording medium further stores state data indicating a state of progression of the game at a point at which the game was stopped part way through, and the execution unit further reads the state data from the portable recording medium, and resumes the game from the point at which the game was stopped, with use of the read state data.

**17. (Original)** The portable game execution apparatus of Claim 11, wherein the portable recording medium further stores address information indicating a connection location of the stationary game execution apparatus on the network, and the reception unit reads the address information from the portable recording medium, and receives the portable image data from the stationary game execution apparatus shown by the connection location on the network indicated by the read address information.

**18. (Currently Amended)** The portable game execution apparatus of Claim 11, wherein ~~the a~~ distribution server apparatus stores ~~the game program therein~~ a revised game program, which is a revise version of the game program, and reads the revised game program and transmits the read revised game program over the network, instead of the stationary game execution apparatus writing the game program to the portable recording medium, the reception unit further receives the revised game program over

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the network, and writes the received revised game program to the portable recording medium, and

the read unit reads the revised game program that has been written to the portable recording medium by the reception unit, from the portable recording medium.

**19-21. (Cancelled)**

**22. (Original)** A game execution method used in a portable game execution apparatus that executes a game in accordance with a game program,

wherein a stationary game execution apparatus obtains the game program and general image data, the game program indicating a game procedure, and the general image data being for display in accordance with progression of the game, writes the obtained game program to a portable recording medium, generates stationary image data and portable image data from the obtained general data, the stationary image data being suitable for display by the stationary game execution apparatus, and the portable image data being suitable for display by the portable game apparatus, and transmits the generated portable image data over a network,

the game execution method comprising:

a read step of reading the game program from the portable recording medium;

a reception step of receiving the portable image data over the network;

an input step of receiving an input operation from the user;

an execution step of executing, based on the received input operation, the game, in accordance with the procedure indicated by the read game program, and generating, in accordance with progression of the game, a portable display image from the received portable image data; and

a display step of displaying the generated mobile image.

**23. (Original)** A computer readable recording medium having a game execution program used in a portable game execution apparatus recorded thereon, that executes the portable game execution apparatus executing a game in accordance with a game program,

wherein a stationary game execution apparatus obtains the game program and general image data, the game program indicating a game procedure, and the general image data being for

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display in accordance with progression of the game, writes the obtained game program to a portable recording medium, generates stationary image data and portable image data from the obtained general data, the stationary image data being suitable for display by the stationary game execution apparatus, and the portable image data being suitable for display by the portable game apparatus, and transmits the generated portable image data over a network,

the game execution program comprising:

a read step of reading the game program from the portable recording medium;

a reception step of receiving the portable image data over the network;

an input step of receiving an input operation from the user;

an execution step of executing, based on the received input operation, the game, in accordance with the procedure indicated by the read game program, and generating, in accordance with progression of the game, a portable display image from the received portable image data; and

a display step of displaying the generated mobile image.

#### 24. (Cancelled)

25. (New) A method used in a game system comprising a stationary game execution apparatus, a portable game execution apparatus, and a monitor, the stationary and portable game execution apparatuses executing a game in accordance with a game program, the method for the stationary game execution apparatus comprising:

an obtaining step of obtaining the game program and general image data, the game program indicating a game procedure, and the general image data being for display in accordance with a progression of the game;

a writing step of writing the obtained game program to a portable recording medium;

a generation step of generating stationary image data and portable image data from the obtained general data, the stationary image data being suitable for display by the stationary game execution apparatus, and the portable image data being suitable for display by the portable game apparatus;

a transmitting step of transmitting the generated portable image data over a network;

an input step of receiving an input operation from a user; and

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an execution step of executing, based on the received input operation, the game, in accordance with the procedure indicated by the obtained game program, and generating, in accordance with the progression of the game, a stationary display image from the generated stationary image data, and outputting the generated stationary display image to the monitor, and

the method for the portable game execution apparatus comprising:

a read step of reading the game program from the portable recording medium;

a reception step of receiving the portable image data over the network;

an input step of receiving an input operation from the user;

an execution step of executing, based on the received input operation, the game, in accordance with the procedure indicated by the read game program, and generating, in accordance with the progression of the game, a portable display image from the received portable image data; and

a display step of displaying the generated portable display image.

26. (New) The portable game execution apparatus of Claim 18, wherein the revised game program has been prepared by a vendor of the game program.



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**REMARKS**

This is in response to the Office Action dated August 6, 2009. In view of the above amendments and the following remarks, reconsideration of the rejection and further examination are requested.

A substitute abstract has been submitted concurrently. It is submitted that the substitute abstract is in accordance with 37 C.F.R. §1.52(b)(4). As a result, applicant respectfully requests that the examiner withdraw the objection.

Claims 3-10 and 19-21 have been cancelled without prejudice or disclaimer to the subject matter therein. Claim 24 has been cancelled and incorporated into claim 23. Claims 25 and 26 have been added.

**Rejection under 35 U.S.C §101:**

Claim 20 has been rejected under 35 U.S.C §101 as being directed to non-statutory subject matter. Claim 20 has been cancelled. As a result, this rejection is submitted to no longer be applicable.

**Rejections under 35 U.S.C §103(a):**

Claims 1, 3-5, 9, 11, 16, and 18-24 have been rejected under 35 U.S.C §103(a) as being unpatentable over Tahoe (US Pub. 2001/0029205) in view of Eguchi (US 6,951,516). This rejection is submitted to be inapplicable to the claims, as amended, for the following reasons.

Claim 11 recites a portable game execution apparatus including, in part, a read unit operable to read a game program from a portable recording medium on which the game program indicating a game procedure is recorded, and a reception unit operable to receive, over a network, portable image data generated by a stationary game execution apparatus, the portable image data being suitable for display by the portable game execution apparatus. According to claim 11, the game program is recorded on the portable storage medium and executed by the portable game execution apparatus, and the portable image data is transmitted over the network. The above features, as recited in claim 11, make it easier to control creative rights associated with a game. The combination of Tahoe and Eguchi fails to disclose or suggest the above features as recited in claim 11.

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Taho discloses game delivery system having a game machine 20, that outputs a signal to a home-use TV receiver 50, and a communication link 70 used in conjunction with the internet for coupling information between the game machine 20 and a game program delivery apparatus 30 (see paragraph 31). As shown in Figure 1, the game machine 20 includes various electronic components such as a CPU 21 and a GPU 22. The GPU 22 performs processing for image display, such as geometry operation processing and rendering processing, according to instructions from the CPU 21 (see paragraph 35). The CPU 31 of the game program delivery apparatus 30 (the delivery apparatus is shown in detail in Figure 2) also performs processing related to transmission of a game program and emulator program to the game machine 20 through the internet utilizing a communication link 70 (see paragraph 37). As shown in Figure 13, the CPU 31 of the delivery apparatus 30 fetches the data of the game title. Then the CPU 31 matches the corresponding emulator program to the game title and prepares both for delivery to the game system 20 via the internet (see paragraph 71). This allows the game machine to receive any game program selected by a user along with the emulator program that allows the game to be executed on the game machine 20.

Thus, Taho discloses a game delivery system that delivers games and their corresponding emulator programs to a stationary game machine via the internet. However, Taho does not disclose separating the game program from the image data used to render the game on a screen, and delivering the game program via a portable recording medium, and delivering the portable image data associated with the game via a network. Therefore, Taho does not disclose or suggest a read unit operable to read a game program from a portable recording medium on which the game program indicating a game procedure is recorded, and a reception unit operable to receive, over a network, portable image data generated by a stationary game execution apparatus, the portable image data being suitable for display by the portable game execution apparatus, as recited in claim 11. Eguchi also fails to disclose the above features as recited in claim 11.

Eguchi discloses a multi-user video game with communication capabilities played on different discrete video game platforms. As shown in Figure 5, a user H can download data from a home video game platform 50 into an intermittently connectable portable video game platform AGB. The user would then be able to play a limited form of the game, or customize certain data of the game, using the portable game player AGB, and transport the portable video game platform to a friend's house for use in sharing data between virtual game environment instances

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200 (see col. 13, lines 30-41). However, while the physical transportation of a removable memory M from one platform to another platform is practical, other methods (e.g., a network) could be used to transfer the game, as shown in Figure 4 (see col. 13, lines 7-29).

Thus, Eguchi discloses a system where an entire game is transferred to another gaming platform either by removable media or a network. However, Eguchi does not disclose separating the game program from the image data used to render the game on a screen, and delivering the game program via a portable recording medium, and delivering the portable image data associated with the game via a network. Therefore, Eguchi does not disclose or suggest a read unit operable to read a game program from a portable recording medium on which the game program indicating a game procedure is recorded, and a reception unit operable to receive, over a network, portable image data generated by a stationary game execution apparatus, the portable image data being suitable for display by the portable game execution apparatus, as recited in claim 11.

Accordingly, no combination of Tahoe and Eguchi would result in, or otherwise render obvious under 35 U.S.C. §103(a), the features recited in claim 11. As a result, claim 11 is patentable over the combination of Tahoe and Eguchi.

Claim 1 is patentable over the combination of Tahoe and Eguchi for the same reasons as those discussed above with regard to claim 11. Specifically, claim 1 recites a stationary game execution apparatus including, in part, a generation unit operable to generate portable image data, the portable image data being suitable for display by a portable game apparatus, and a portable game apparatus including, in part, a read unit operable to read the game program from the portable recording medium, the game program indicating a game procedure, and a reception unit operable to receive the portable image data over the network. Since the above features, as recited in claim 1, are not disclosed or suggested by the combination of Tahoe and Eguchi, claim 1 is patentable over the combination of Tahoe and Eguchi.

Claims 22 and 23 are patentable over the combination of Tahoe and Eguchi for reasons similar to those discussed above with regard to claim 11. Specifically, claims 22 and 23 both recite executing a game in accordance with a game program, on a portable game execution apparatus, by reading the game program from a portable recording medium, and receiving portable image data over a network, wherein a stationary game apparatus generates the portable image data, the portable image data being suitable for display by a portable game apparatus.

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Since the above features, as recited in claims 22 and 23, are not disclosed or suggested by the combination of Tahoe and Eguchi, claims 22 and 23 are patentable over the combination of Tahoe and Eguchi.

Claim 25 is patentable over the combination of Tahoe and Eguchi for the same reasons as those discussed above with regard to claim 11. Specifically, claim 25 recites, for the stationary game execution apparatus, generating portable image data, the portable image data being suitable for display by the portable game apparatus, and for the portable game execution apparatus, reading the game program from the portable recording medium, and receiving the portable image data over the network. Since the above features, as recited in claim 25, are not disclosed or suggested by the combination of Tahoe and Eguchi, claim 25 is patentable over the combination of Tahoe and Eguchi.

Claim 16, 18, and 26 are either directly or indirectly dependent on independent claim 11. As a result, claims 1, 11, 16, 18, 22-23, and 25-26 are patentable over the combination of Tahoe and Eguchi.

Claims 2, 6-7, 10, 12-15, 17, and 18 have been rejected under 35 U.S.C §103(a) as being unpatentable over Tahoe (US Pub. 2001/0029205) in view of Eguchi (US 6,951,516) and further in view of Xidos (US 5,851,149). This rejection is submitted to be inapplicable to the claims, as amended, for the following reasons.

Claim 2 is dependent on independent claim 1 discussed in detail above. Claims 12-15, 17, 18, and 26 are either directly or indirectly dependent on independent claim 11 discussed in detail above.

Xidos is relied upon in the rejection as disclosing using key cryptography to encrypt information being transmitted over a network. However, it is apparent that Xidos fails to disclose or suggest the features lacking from the combination of Tahoe and Eguchi discussed above with regard to independent claims 1 and 11. Accordingly, no combination of Tahoe, Eguchi, and Xidos would result in, or otherwise render obvious under 35 U.S.C. §103(a), the features recited in claims 1, 2, 11-15, 17, 18, and 26. Therefore, claims 1, 2, 11-15, 17, 18, and 26 are patentable over the combination of Tahoe, Eguchi, and Xidos.

Because of the above-mentioned distinctions, it is believed clear that claims 1-2, 11-18, 22-23, and 25-26 are allowable over the references relied upon in the rejection. Furthermore, it is submitted that these distinctions are such that a person having ordinary skill in the art at the time

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of the invention would not have been motivated to combine the references of record in such a manner as to result in, or otherwise render obvious, the present invention as recited in 1-2, 11-18, 22-23, and 25-26. Therefore, it is submitted that claims 1-2, 11-18, 22-23, and 25-26 are clearly allowable over the prior art of record.

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance. The examiner is invited to contact the undersigned by telephone if it is felt that there are issues remaining which must be resolved before allowance of the application.